

**R E M A R K S**

In the Office Action, claims 1-6 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Rabitsch (5,076,497) in view of Swan (6,557,787). Claim 7 has been rejected under 35 U.S.C. 112 as being indefinite. Claims 8-13 have been indicated as being allowable and are retained in their allowable form. Claim 7 has been indicated as being allowable subject to overcoming the rejection under 35 U.S.C. 112.

In this Amendment, claim 1 has been canceled. Claim 7 has been amended to be in independent form by including all of original claim 1 therein and by changing "the fitting" to --said body-- inasmuch as original claim 1 includes proper antecedent basis for "said body". Accordingly, Applicant submits that claim 7 is now in condition for allowance.

Claims 2-6 are retained in the application but have been amended to depend either directly or indirectly from independent claim 7. Accordingly, Applicant submits that dependent claims 2-6 are now in allowable form along with independent claim 7.

New dependent claims 14 and 15 have been added. Claim 14 depends from claim 7 which has been indicated as being allowable and claim 15 depends from claim 14 and is believed to also be allowable. These two claims relate to details of the diffuser blade.

In addition to new dependent claims 14 and 15, independent claim 16 has been added and includes specific limitations relating to the inner surfaces of the side walls of the nozzle with the side walls being interconnected by a top wall and an open slot at the bottom. The side walls are defined as having "planar inner surfaces extending continuously through out their length and being substantially vertical". In this regard, the prior patent to Swan includes side walls having inner surfaces that include steps to produce a spray pattern. However, Swan does not include any diffuser blade. Applicant recognizes that his prior patent does include a diffuser blade which produces a spray pattern. However, Applicant's prior patent does not include a plate extending between lower edge portions of the side walls of the nozzle. Likewise, the nozzle in Swan does not include a plate extending between lower edge portions of the side walls which forms a closure for a major portion of the open slot at the bottom of the side walls as specifically defined in new claim 16 and which terminology is adopted from claims 7 and 8 but does not include the air inlet as specified in claims 7 and 8.

In addition to including the plate, the outer end of the plate is specifically defined as being spaced a short distance from the diffuser blade. Swan, of course, does not employ a diffuser blade and neither Swan or Applicant's prior patent discloses a

closure plate. Swan specifically defines steps on the inner surfaces of the side walls whereas new claim 16 defines the planar inner surfaces of the side walls as extending continuously throughout their length. In Applicant's prior patent, the surfaces of the side walls are parallel and there is no plate extending between lower edge portions of the side walls which forms a closure for a major portion of the open slot at the bottom of the side walls. Swan also fails to disclose a closure plate extending over any portion of the bottom slot in the nozzle.

Therefore, a person of ordinary skill in this art would not find any teaching from Applicant's prior patent or Swan that a closure plate should be used for a portion of the bottom slot and that the inner surfaces of the sidewall should be planar and extending continuously throughout their length. Further, neither of the prior patents relied upon disclose inner side walls surfaces which converge longitudinally to a discharge end of said nozzle from said fitting as set forth in new claim 16. Accordingly, Applicant submits that new claim 16 clearly defines patentably over his prior patent as well as Swan taken singly over in combination.

New claim 17 includes the side wall surfaces and orifice form a reduced pressure zone when liquid passes from the orifice into the nozzle and that the reduced pressure zone mixes air with liquid for discharge through said passageways and past said

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diffuser blade. As the mixture of air and liquid passes through the passageways from the converging side walls, the air in the mixture of air and liquid is compressed as it passes through the passageways and then expand as the mixture passes the diffuser blade into the spray pattern to more effectively provide a constant rate of discharge of liquid throughout the length of the spray pattern. The outer end of the plate being spaced a short distance from the diffuser blade enables downward discharge of a portion of the liquid into the spray pattern so that the inner end portion of the spray pattern actually extends under the nozzle area to produce a longer spray period. No such structure exists in Rabitsch '497 or in Swan.

Applicant submits that new claim 16 as well as dependent claim 17 distinguish patentably from the prior art of record in this application. Accordingly, Applicant requests reconsideration and allowance of newly submitted dependent claims 14 and 15 and newly submitted claims 16 and 17.

Respectfully submitted,

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